

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Belk (Reg. No. 33,357) on 2/4/2010.

The application has been amended as follows:

Please cancel claim 15.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

3. Prior art was not found that explicitly teaches or fairly suggests "an evaluation means (10) for evaluating said first data unit and said second data unit by comparison and/or combination and for deriving said unique identifier ID from the result of said evaluation" in view of where the first data unit and second data unit are read from, as outlined in independent claim 1.

4. Prior art was not found that explicitly teaches or fairly suggests "deriving said unique identifier ID from the result of said evaluation" in view of where the first data unit and second data unit are read from, as outlined in independent claim 10.

5. Prior art was not found that explicitly teaches or fairly suggests "a reallocation means (3) for recording a reallocation information in said defect management area

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marking said first sector as defective and as reallocated to said second sector, said first data unit and said second data unit being provided for evaluation by comparison and/or combination and for deriving said unique identifier ID from the result of said evaluation”, as outlined in independent claim 11.

6. Prior art was not found that explicitly teaches or fairly suggests “recording a reallocation information in said defect management area marking said first sector as defective and as reallocated to said second sector, said first data unit and said second data unit being provided for evaluation by comparison and/or combination and for deriving said unique identifier ID from the result of said evaluation”, as outlined in independent claim 12.

7. Prior art was not found that explicitly teaches or fairly suggests “a defect management area for storing data reallocated from defective sectors of said data area, said data including a second data unit stored at a second sector, and for storing reallocation information including an information marking said first sector as defective and as reallocated to said second sector, said first data unit and said second data unit being provided for evaluation by comparison and/or combination and for deriving said unique identifier ID from the result of said evaluation”, as outlined in independent claim 13.

8. These limitations are considered allowable only in combination with all of the limitations of the base claim and any intervening claims.

9. The remaining claims, not specifically mentioned, are allowed because they are dependant upon one of the claims mentioned above.

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10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua P. Lottich whose telephone number is 571-270-3738. The examiner can normally be reached on M-F 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on 571-272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. P. L./

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Examiner, Art Unit 2113

/Robert W. Beausoliel, Jr./

Supervisory Patent Examiner, Art Unit 2113